

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-6279-Cr-Hurley/Vitunac

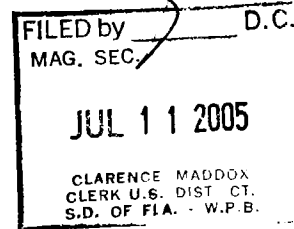
UNITED STATES OF AMERICA

Plaintiff

vs.

SHANNON GARRAUGHTY

Defendant.



REPORT AND RECOMMENDATION

The Defendant, SHANNON GARRAUGHTY, appeared before the Court on July 1, 2005, for a preliminary and/or final hearing on the violation of supervised release. The Defendant is charged with violating supervised release by: (1) unlawfully possessing or using a controlled substance (on January 14, February 1, 3, and May 4, 2005, Defendant submitted urine samples that tested positive for cocaine); (2) failing to notify the probation office of a change in residence; and (3) failing to participate in an approved treatment program. The Defendant left a residential treatment program at the Broward Alcohol and Recovery Center on April 23, 2005, and was unsuccessfully discharged from the program as a result. The Defendant admits violating supervised release and would like to proceed to sentencing. Accordingly,

This Court recommends that the District Court accept the Defendant's admission and find the Defendant guilty of violating supervised release. This Court recommends that the matter be set down for sentencing before the District Court.

The Clerk is ORDERED to set this matter before the sentencing calendar of United

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States District Judge Daniel T. K. Hurley.

A party shall serve and file written objections, if any, to this Report and Recommendation with the Honorable United States District Judge Daniel T. K. Hurley, within ten (10) days after being served with a copy. See 28 U.S.C. § 636(b)(1)(C). Failure to file timely objections may limit the scope of appellate review of factual findings contained herein. See United States v. Warren, 687 F.2d 347, 348 (11th Cir.1982) cert. denied, 460 U.S. 1087 (1983).

DONE and SUBMITTED in Chambers at West Palm Beach in the Southern District of Florida, this 11 day of July 2005.

  
ANN E. VITUNAC  
Chief United States Magistrate Judge

Copies to:

U.S. District Judge Daniel T.K. Hurley  
AUSA Roger Stefin  
AFPD Lori Barrist  
U.S. Probation Officer Barbara Somoano  
Clerk of Court